

Notice of Allowability

Application No.

10/727,480

Examiner

Jimmy T. Nguyen

Applicant(s)

PATRAS, DANIEL

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/13/05.
2. ☒ The allowed claim(s) is/are 1,2,6, 8-9,11-13,16-24 and 26.
3. ☒ The drawings filed on 04 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Seth Natter on August 17, 2005.

The application has been amended as follows:

In the specification, page 9, line 15:

Numeral reference "12" has been changed to --- 14 ---.

In claim 1, line 5:

The words "pair of side walls," have been replaced with --- planar top wall, a pair of side walls, a downwardly sloped bottom wall and an upper panel, the interior of ---.

In claim 1, line 5:

The words "having a continuous" have been deleted.

In claim 1, line 6:

The words "smooth upper surface" have been deleted.

In claim 1, line 6:

Before the words "the entrance", the following words have been added --- the entrance being defined by forward edges of the top, side and bottom walls, ---.

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In claim 1, line 7:

Before the words “a trash”, the following words have been added --- the upper panel extending between the entrance and the discharge outlet along a continuous curve ----.

In claim 1, line 12:

The second occurrence word “wherein” has been deleted.

Claim 7 has been canceled.

In claim 16, line 2:

After the word “cabinet”, the following words have been added --- having a front surface ---.

In claim 16, line 3:

After the word “vestibule”, the following words have been added --- extending forwardly of the front surface ---.

In claim 16, line 7:

After the word “an”, the word --- upper --- has been added.

In claim 16, line 8:

The word “vestibule” has been changed to --- discharge outlet ---.

In claim 17, line 2:

The words “vestibule extends forwardly” have been changed to --- front surface comprises a ---.

In claim 17, line 3:

The words “of a front” have been deleted.

In claim 20, line 10:

After the word “extending”, the following words have been added --- along an upper edge of the lid and ---.

In claim 20, line 13:

The word “passageway” has been changed to --- discharge outlet ----.

In claim 21, line 3:

The words “into the” have been changed to --- to the trash discharge outlet ---.

In claim 21, line 4:

The word “passageway” has been deleted.

In claim 23, line 2:

The words “the upper surface of the passageway is curved and” have been deleted.

In claim 23, line 2:

The word “matingly” has been deleted.

In claim 23, line 3:

After the word “curved”, the following words have been added --- to mate with the continuous curve of the upper panel ---.

Claim 25 has been canceled.

The following is an examiner’s statement of reasons for allowance:

Claim 1 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a self-contained public access trash compaction system

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comprising: a free standing cabinet, the cabinet having a vestibule projecting forwardly from a front surface of the cabinet, the vestibule having an entrance being at a higher elevation than a discharge outlet of the vestibule, a trash loading carriage pivotally connected to the vestibule, the carriage including a first panel having a lid for blocking the vestibule entrance and a second panel for blocking the discharge outlet, wherein the vestibule includes a top wall, a pair of side walls, a downwardly sloped bottom wall and *an upper panel, and the entrance being defined by forward edges of the top, side, and bottom wall, and the upper panel extending between the entrance and the discharge outlet along a continuous curve*, in combination with the rest of the claimed limitations.

Claim 16 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a self-contained public access trash compaction system comprising: *a free standing cabinet, the cabinet having a vestibule projecting forwardly from a front panel of the cabinet, the vestibule having an entrance being at a higher elevation than a discharge outlet of the vestibule, a lid for closing the entrance and a panel for closing the discharge outlet, and a flange extending along an upper edge of the lid and into the vestibule when the lid is positioned to close the entrance*, in combination with the rest of the claimed limitations.

Claim 20 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a method comprising the steps of: *providing a self-contained freestanding trash compactor* having a trash loading entrance and a trash discharge outlet for discharging trash into a trash compaction compartment; providing a confined trash passageway between the trash loading entrance and the trash discharge outlet; providing a lid for

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opening and closing a trash loading entrance, the lid including *a flange extending along an upper edge of the lid* and the flange extending into the trash loading entrance when the trash loading entrance is closed, and *opening the lid to access the trash loading entrance and closing the trash discharge outlet while blocking access to the trash passageway with the flange when the lid is partially opened*, in combination with the rest of the claimed limitations.

US 3,885,467; US 3,901,139; US 4,147,100; US 4,436,026; US 4,706,560; and US 5,448,945 disclose various compactors having a free standing cabinet, but these references fail to teach a vestibule projecting forwardly from a front panel/surface of the cabinet and a flange extending along an upper edge of a lid in order to prevent access into the vestibule when the lid is partially opened.

US 4,156,386 to Gould discloses a compactor having a vestibule attached to a wall of a building (fig. 10). Therefore, Gould fails to disclose a compactor having a free-standing cabinet. Further, Gould fails to disclose a specific type of vestibule as claimed in claims 1 and 16, as well as a flange extending along an upper edge of a lid in order to prevent access into the vestibule when the lid is partially opened

JP 54129762 A to Inoue discloses a trash collection system in building having a vestibule (fig. 4) attached to a chute wall (3) of a building. Therefore, Inoue fails to disclose a compactor having a free-standing cabinet. Further, Inoue fails to disclose a flange extending along an upper edge of a lid and into the vestibule in order to prevent access into the vestibule when the lid is partially opened.

US 4,715,498 to Hanifl discloses a waste cabinet (10) having a vestibule attached to the top of the container (fig. 3), Hanifl fails to disclose a compaction mechanism and a flange

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extending along an upper edge of a lid in order to prevent access into the vestibule when the lid is partially opened.

US 4,466,357 discloses a depositing apparatus, this reference does not disclose a forward edge of the top wall defining an entrance for loading material.

All of these references, by themselves, or in combination with the other cited prior art, fail to disclose the invention as claimed in claims 1, 16 and 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

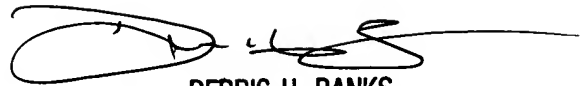
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JTNguyen

August 17, 2005

A handwritten signature in black ink, appearing to read 'D. Banks', with a long horizontal line extending to the right.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700